

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOANNE HUGHES-ROBINSON,  
et al.,

Plaintiffs,

No. CIV S-04-0247 FCD KJM PS

vs.

TOM CAREY, et al.,

ORDER

Defendants.

This action was referred to the undersigned pursuant to Local Rule 72-302(c)(21).  
Calendared for hearing on March 22, 2006 is defendants' motion for summary judgment. No  
opposition to the motion has been filed.

Local Rule 78-230(c) provides that opposition to the granting of a motion must be  
filed fourteen days preceding the noticed hearing date. The Rule further provides that "[n]o party  
will be entitled to be heard in opposition to a motion at oral arguments if written opposition to  
the motion has not been timely filed by that party." In addition, Local Rule 78-230(j) provides  
that failure to appear may be deemed withdrawal of opposition to the motion or may result in  
sanctions. Finally, Local Rule 11-110 provides that failure to comply with the Local Rules "may  
be grounds for imposition of any and all sanctions authorized by statute or Rule or within the  
inherent power of the Court."

1 Good cause appearing, IT IS HEREBY ORDERED that:

2 1. The hearing date of March 22, 2006 is vacated. Hearing on defendants'  
3 motion for summary judgment is continued to April 26, 2006 at 10:00 a.m. in courtroom no. 26.

4 2. Plaintiffs shall file opposition, if any, to the motion no later than April 12,  
5 2006. Failure to file opposition and appear at the hearing will be deemed as a statement of non-  
6 opposition and shall result in a recommendation that this action be dismissed pursuant to Federal  
7 Rule of Civil Procedure 41(b).

8 DATED: March 13, 2006.

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11 UNITED STATES MAGISTRATE JUDGE  
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